

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOSE MUNOZ-LEVYA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**CASE NO. 2:05-cv-526
CRIM. NO. 2:04-cr-133
JUDGE GRAHAM
Magistrate Judge Abel**

OPINION AND ORDER

On February 27, 2006, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 be dismissed. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This action is hereby **DISMISSED**.

It is so ORDERED..

s/James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: March 21, 2006